

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Matthew J. Wagner et al.	§	Confirmation No.:	9085
		§		
Serial No.:	10/034,224	§	Group Art Unit:	2618
		§		
Filed:	12/28/2001	§	Examiner:	M. Milord
		§		
For:	A Wireless Communication	§	Docket No.:	200302319-1
	System Integrated Into A	§		
	Computer Display	§		

APPEAL BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: July 1, 2008

Sir:

Appellants hereby submit this Appeal Brief in connection with the above-identified application. A Notice of Appeal was electronically filed on May 5, 2008.

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I. REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, L.P. (HPDC), a Texas Limited Partnership, having its principal place of business in Houston, Texas. HPDC is a wholly owned affiliate of Hewlett-Packard Company (HPC). HPC merged with Compaq Computer Corporation (CCC) which owned Compaq Information Technologies Group, L.P. (CITG). The Assignment from the inventors to CITG was recorded on June 19, 2002, at Reel/Frame 013018/0470. The Change of Name document was recorded on December 2, 2003, at Reel/Frame 014177/0428.

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II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related appeals or interferences.

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III. STATUS OF THE CLAIMS

Originally filed claims: 1-23.
Claim cancellations: None.
Added claims: None.
Presently pending claims: 1-23.
Presently appealed claims: 1-23.

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IV. STATUS OF THE AMENDMENTS

No claims were amended after the Office Action dated March 26, 2008.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

In accordance with the invention of claim 1, a computer system comprises a processor and a display (Fig. 4; 48). The display has an external casing (Fig. 3) in which a plurality of externally exposed recessed cavities are provided. P. 6 l. 1 of para. [0021] through p. 7 l. 8 of para. [0023]. At least one recessed cavity is adapted to receive a radio module (Figs. 1, 3 and 4; 20) (p. 6 ll. 1-2 of para. [0021] and another recessed cavity is adapted to receive an antenna module (Figs. 3, 4; 52) (p. 6 ll. 1-2 of para. [0021]. The antenna and radio modules are electrically connected together. Fig. 3; p. 7 ll. 1-2 of para. [0023].

The invention of claim 12 comprises a display (Fig. 4; 48) that has a plurality of externally exposed recessed cavities (p. 6 l. 1 of para. [0021] through p. 7 l. 8 of para. [0023]) formed therein into which radio and antenna modules (20, 52) can be removably inserted to provide a wireless communication capability for the electronic device. P. 1 ll. 1-2 of para. [0003].

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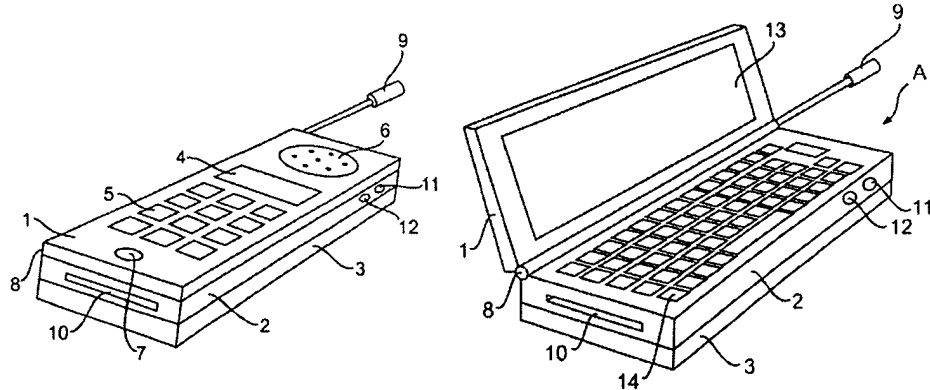
VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-23 are obvious under 35 U.S.C. § 103 over by Constien (U.S. Pat. No. 6,259,932) in view of Madsen (U.S. Pat. No. 6,181,284).

VII. ARGUMENT

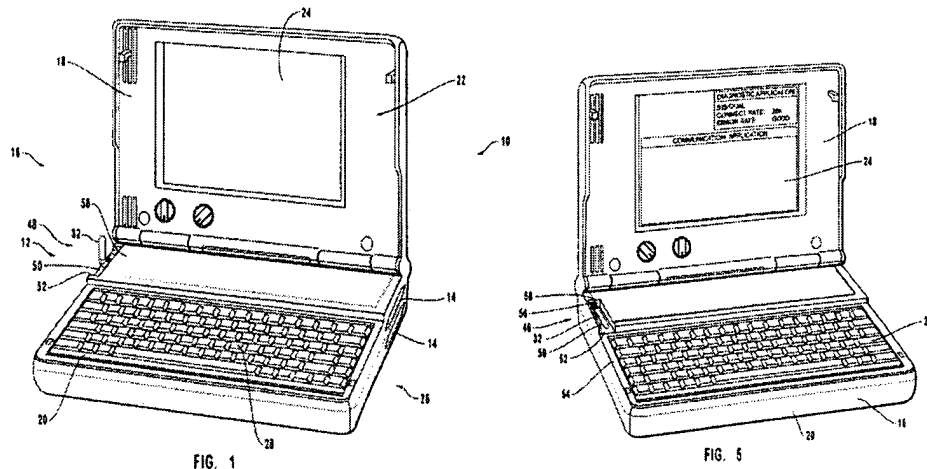
A. Brief overview of Constien

Constien discloses a device that is a combination cellular telephone and computer. Figure 1 below of Constien illustrates the device with the display 1 closed and usable as a cellular telephone. An antenna 9 can be extracted from the device and the back of the lid includes keys 5, a small display 4, a speaker 6 and a microphone 7. Figure 2 (also below) shows the display 1 open thereby exposing a keyboard 14 and a larger display 13. In the configuration of Figure 2, the device can be used as a handheld computer.



B. Brief Overview of Madsen

Madsen is directed to a portable computer with an antenna. Figure 1 below depicts Madsen's portable computer with the antenna 32 in the deployed position. As can be seen, the antenna 32 is provided in the base 20. A display 24 is provided in an upper 18 which is connected to the base 20 by way of a hinge. Figure 5 from Madsen shows the antenna 32 in the stowed position in the base 20. It is clear from Figures 1 and 5 and the text of Madsen that the antenna is part of the base, not the display 24 or the display's housing 18.



C. The obviousness rejection of claims 1-23

1. Claims 1-11

Appellants select claim 1 from this claim grouping as representative of the group for purposes of this appeal. Claim 1 requires a display to have an external casing that has a plurality of externally exposed cavities. At least one recessed cavity is adapted to receive a radio module and another recessed cavity is adapted to receive an antenna module. Thus, the cavities for the modules are in the display's external casing. The Examiner acknowledged that Constien does not disclose a display having an external casing with externally exposed recessed cavities for the radio and antenna modules. See Office Action dated March 26, 2008 p. 2. Instead, the Examiner relied on Madsen's antenna 32. However, as can be seen in Figs. 1 and 2 above of Madsen, the antenna 32 in Madsen is in the base 20, not the display housing 18.

Further, as noted above, claim 1 requires more than a recessed cavity in the display's external casing. The Examiner stated that Constien has no such cavities, but when referring to Madsen only identified Madsen's antenna and corresponding cavity (which are in the base, not the display). Regardless of location (on the display casing or base), Madsen does not teach a plurality of externally exposed cavities.

Based on the foregoing, Appellants respectfully submit that the rejections of the claims in this grouping be reversed, and the claims set for issue.

2. Claims 12-23

Appellants select claim 12 from this claim grouping as representative of the group for purposes of this appeal. Claim 12 is directed to a “display having a casing containing a plurality of externally exposed recessed cavities formed therein into which radio and antenna modules can be removably inserted to provide a wireless communication capability for said electronic device.” The Examiner concedes that Constien does not disclose a plurality of such externally exposed recessed cavities in its display member 1. As explained above, Madsen does not teach or suggest a display in which a plurality of externally exposed recessed cavities are formed. Instead, Madsen teaches that the base, not the display housing, contains a deployable antenna.

Based on the foregoing, Appellants respectfully submit that the rejections of the claims in this grouping should be reversed, and the grouping set for issue.

3. Claims 4 and 15

Claims 4 and 15 depend from claims 1 and 12, respectively. The Examiner erred in rejecting these claims at least for the same reasons as their independent claims. The Examiner erred in rejecting these claims for an additional reason. The Examiner conceded that “Constien does not specifically disclose the features of a display having an external casing in which a plurality of externally exposed recessed cavities are provided.” (emphasis added). The Examiner turned to Madsen, but lumped the rejection of claims 4 and 15 in with the rejection of their base claims 1 and 12. The Examiner did not address the specific limitations of claims 4 and 15. Claim 4, for example, requires that the display casing include cavities “for a plurality of radio modules.” Claim 15 has a similar limitation. The Examiner did not identify any teaching in Madsen of a “plurality of radio modules.” Further, Applicants find no such teaching Madsen.

Based on the foregoing, Appellants respectfully submit that the rejections of the claims in this grouping should be reversed, and the grouping set for issue.

D. Conclusion

For the reasons stated above, Appellants respectfully submit that the Examiner erred in rejecting all pending claims. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

/Jonathan M. Harris/

Jonathan M. Harris
PTO Reg. No. 44,144
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPELLANTS

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400

VIII. CLAIMS APPENDIX

1. (Previously presented) A computer system, comprising:
a processor;
a display coupled to said processor, said display having an external casing in which a plurality of externally exposed recessed cavities are provided, at least one recessed cavity is adapted to receive a radio module and another recessed cavity is adapted to receive an antenna module, the radio module being electrically connected to the antenna module.
2. (Original) The computer system of claim 1 wherein said radio module and antenna module are flush with the outer surface of the casing.
3. (Original) The computer system of claim 1 wherein said radio module is electrically connected to said antenna module via a conductor contained within said display casing.
4. (Previously presented) The computer system of claim 1 wherein said casing includes externally exposed cavities for a plurality of radio modules.
5. (Previously presented) The computer system of claim 1 wherein said casing includes externally exposed cavities for a plurality of antenna modules.
6. (Previously presented) The computer system of claim 1 wherein said casing includes externally exposed cavities for a plurality of radio modules and a plurality of antenna modules.
7. (Original) The computer system of claim 6 wherein a radio module is electrically connected to said antenna module via a conductor contained within said display casing.

8. (Original) The computer system of claim 6 wherein a radio module is electrically connected to a plurality of antenna modules via a conductor contained within said display casing.

9. (Original) The computer system of claim 6 wherein said plurality of radio modules is two radio modules and said plurality of antenna modules is three antenna modules.

10. (Original) The computer system of claim 1 wherein said radio module couples to other electronics in said computer system via a digital serial bus.

11. (Original) The computer system of claim 10 wherein said bus comprises a universal serial bus ("USB").

12. (Previously presented) A display for an electronic device, said display having a casing containing a plurality of externally exposed recessed cavities formed therein into which radio and antenna modules can be removably inserted to provide a wireless communication capability for said electronic device.

13. (Previously presented) The display of claim 12 wherein said radio module and antenna module are flush with the outer surface of the display casing.

14. (Previously presented) The display of claim 12 wherein a radio module is electrically connected to an antenna module via a conductor contained within said display casing.

15. (Previously presented) The display of claim 12 including cavities in said display casing for a plurality of radio modules.

16. (Previously presented) The display of claim 12 including cavities in said display casing for a plurality of antenna modules.

17. (Previously presented) The display of claim 12 including cavities in said display casing for a plurality of radio modules and a plurality of antenna modules.

18. (Previously presented) The display of claim 17 wherein a radio module is electrically connected to an antenna module via a conductor contained within said display casing.

19. (Previously presented) The display of claim 17 wherein a radio module is electrically connected to a plurality of antenna modules via a conductor contained within said display casing.

20. (Original) The display of claim 17 wherein said plurality of radio modules is two radio modules and said plurality of antenna modules is three antenna modules.

21. (Previously presented) The display of claim 12 including a recessed cavity in said casing for a communication hub interconnecting said radio module to said electronic device.

22. (Original) The display of claim 12 wherein said electronic device comprises a notebook computer.

23. (Original) The display of claim 12 wherein said electronic device comprises a handheld computer.

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IX. EVIDENCE APPENDIX

None.

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X. RELATED PROCEEDINGS APPENDIX

None.